

BEFORE THE DIVISION OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

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IN THE MATTER OF TENTATIVE  
DECISION TO APPROVE REVISION  
TO AN EXISTING MINING AND  
RECLAMATION PLAN FOR WESTERN  
CLAY COMPANY, EMERY COUNTY  
UTAH

NOTICE OF TENTATIVE  
DECISION TO APPROVE  
NO. M/015/061

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THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION,  
MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS  
INTERESTED IN SECTION 7 AND 8, TOWNSHIP 25 SOUTH, RANGE 6 EAST, SLBM,  
EMERY COUNTY, UTAH.

Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve Western Clay Company's Mining and Reclamation Plan for the Last Chance Mine. Mining activities will effect the following area: NE/4 Section 7 and the NW/4 Section 8, Township 25 South, Range 6 East, Salt Lake Base and Meredian, Emery County, Utah.

Western Clay Company has submitted a permit application to expand their small mining operations. The operator will employ the following mining and reclamation techniques on approximately 10.2 acres of land.

**During Operations**

Bentonite clay will be removed using a front end loader or dozer. The material is disced, partially dried and stockpiled prior to loading and truck transport to the Western Clay plant in Aurora, Utah. The mine will operate approximately 90 days per year, depending upon market demand.

**Following Operations**

The disturbed area will be regraded to slopes not exceeding 3H:1V. The pit highwall will be backfilled and recontoured. Approximately 8.3 acres will be covered with 6 inches of topsoil from the topsoil stockpiles and an onsite borrow area. 3000 - 4,000 lbs of alfalfa hay

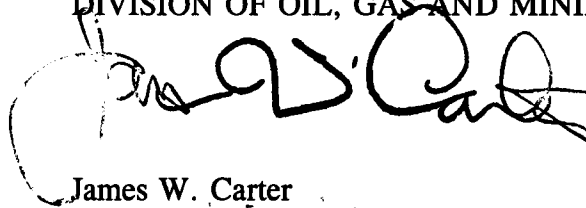
will be tilled into the soil, the area will be fertilized with 40 lbs/acre nitrogen and 100 lbs/ac. phosphorus, then seeded using a seed mix recommended by the BLM (seed mix is included in the plan). Approximately 1.9 acres of barren bentonite outcrop will not be revegetated.

The person representing the company is Mr. Neal Mortensen; Phone (801) 529-3281. Western Clay Company is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975, Utah Code Ann. §40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Lowell Braxton, Associate Director of Mining, Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203, setting forth factual reasons for the complaint. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 12th day of June, 1995

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING

A handwritten signature in black ink, appearing to read 'James W. Carter', is written over the typed name and title.

James W. Carter  
Director

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Approval for Cause No. M/015/061 to be mailed by first class mail, postage prepaid, the 12th day of June, 1995 to:


Neal Mortensen  
Western Clay Company  
508 East Center  
Aurora, Utah 84620

Neil Simmons  
Bureau of Land Management  
San Rafael Resource Area  
900 North 700 East  
Price, Utah 84501

Stan Jackson and Associates  
699 West 300 North  
Richfield, Utah 84701

Salt Lake Tribune  
Legal Advertising  
P. O. Box 867  
Salt Lake City, Utah 84110

Emery County Progress  
Legal Advertising  
76 West Main Street  
P. O. Box 870  
Price, Utah 84501

  
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Joelle Burns